

No. 8439

**DENMARK
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement on certain questions concerning navigation and
waterways. Signed at Bonn, on 9 June 1965**

Official texts : Danish and German.

Registered by Denmark on 13 December 1966.

**DANEMARK
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord relatif à certaines questions concernant la navigation
et les voies navigables. Signé à Bonn, le 9 juin 1965**

Textes officiels danois et allemand.

Enregistré par le Danemark le 13 décembre 1966.

[TRANSLATION — TRADUCTION]

No. 8439. AGREEMENT¹ BETWEEN DENMARK AND THE
FEDERAL REPUBLIC OF GERMANY ON CERTAIN
QUESTIONS CONCERNING NAVIGATION AND WATER-
WAYS. SIGNED AT BONN, ON 9 JUNE 1965

The Kingdom of Denmark and the Federal Republic of Germany,
Desiring to settle a number of questions concerning navigation and waterways
and
Intent on promoting co-operation between the two States in that connexion,
Have agreed as follows

SECTION I

CONTROL OF SHIPS AND OTHER MATTERS CONCERNING NAVIGATION

Article 1

(1) For the purposes of this section, the term "Danish ships" shall mean ships which have a nationality certificate or temporary nationality certificate entitling them to fly the Danish flag.

(2) For the purposes of this section, the term "German ships" shall mean ships with one of the following documents entitling them to fly the flag of the Federal Republic of Germany :

- (a) A certificate of registry or extract from a certificate of registry authenticated by the court of registry ;
- (b) A flag certificate (*Flaggenschein*) ;
- (c) A nationality certificate (*Flaggenzeugnis*) ;
- (d) A flag warrant (*Flaggenbescheinigung*).

Article 2

(1) Each Contracting Party shall recognize the documents prescribed by the other Contracting Party concerning seaworthiness, construction, equipment and

¹ Came into force on 2 December 1966, one month after the date of the notification (2 November 1966) by the Government of the Federal Republic of Germany to the Government of Denmark that the constitutional formalities for the entry into force of the Agreement in the Federal Republic of Germany had been fulfilled, in accordance with article 13.

fittings in respect of ships of that other Party that are not covered by the International Convention for the Safety of Life at Sea.¹

(2) Each Contracting Party shall recognize the tonnage certificates issued by the authorities of the other Contracting Party, if they were issued :

- (a) Before the entry into force of the international Convention of 10 June 1947² for a uniform system of tonnage measurement of ships, or
- (b) For open vessels.

(3) Each Contracting Party shall calculate charges and dues on the basis of the tonnage certificates referred to in paragraph 2, without remeasuring, applying the criteria it applies to its own ships.

Article 3

(1) Inspections of the ships of one Contracting Party shall be carried out by a duly authorized officer of the other Contracting Party. These inspections shall normally serve only to establish that valid documents, as specified in article 2, are carried on board.

(2) If the condition, equipment or fittings of a ship belonging to a Contracting Party obviously do not tally with the particulars set forth in the documents specified in article 2, and if such ship is unable to sail without danger to passengers or crew, the competent authority of the other Contracting Party may prohibit the ship's departure. If the loading or unloading equipment is manifestly not in the condition described in the documents referred to in article 2, or if the absolutely indispensable measures have not been taken to prevent accidents, the competent authority of the other Contracting Party may prohibit or temporarily interrupt the loading or unloading.

(3) If the shortcomings referred to in paragraph 2 are not remedied without delay, the competent authority of the Contracting Party shall so notify the competent consular authority of the other Contracting Party forthwith.

Article 4

(1) The competent authorities of the Contracting Parties shall exchange copies of all documents concerning the construction, equipment, fittings and seaworthiness of the ships of the two Parties and provide any necessary explanations concerning them.

¹ United Nations, *Treaty Series*, Vol. 164, p. 113, and Vol. 267, p. 382.

² United Nations, *Treaty Series*, Vol. 208, p. 3, and Vol. 452, p. 308.